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Application Number	10/623,432
Filing Date	July 17, 2003
First Named Inventor	Gary A. Strobel et al.
Art Unit	1651
Examiner Name	Irene Marx
Attorney Docket Number	34373/0007

ENCLOSURES (Check all that apply)

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Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	McDonough Holland & Allen PC		
Signature			
Printed name	Michelle L. Samonek		
Date	December 15, 2005	Reg. No.	54,421

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Typed or printed name	Connie Evenich	Date	December 15, 2005

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANT(S): Gary A. Strobel et al.
APPLICATION NO.: 10/623,432
FILING DATE: July 17, 2003
TITLE: Compositions Related To A Novel Endophytic Fungi and
Methods of Use
EXAMINER: Irene Marx
GROUP ART UNIT: 1651
ATTY. DKT. NO.: 34373/0007

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INFORMATION DISCLOSURE STATEMENT

SIR:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, and without any assertion of prior art effect, the documents listed on the accompanying Form SB/08A are hereby cited and enclosed.

This Information Disclosure Statement is submitted before receipt of a first Office Action on the merits; accordingly, no fee is believed to be due in order to have these documents made of record and considered by the Examiner. However, if it is determined that a fee is required, the Commissioner is hereby authorized to charge to Deposit Account No. 50-2767 any fees under 37

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C.F.R. §§ 1.16 and 1.17 that may be required by this paper, and to credit any overpayment to that account. Should the Examiner have any questions or wish to discuss further this matter, please contact the undersigned at the telephone number provided below.

Date: December 15, 2005

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Respectfully submitted,

By: 

Michelle L. Samonick, Reg. No.: 54,421



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application No.	10/623,432
				Filing Date	July 17, 2003
				First Named Inventor	Gary A. Strobel
				Art Unit	1651
				Examiner Name	Irene Marx
Sheet	1	of	1	Attorney Docket Number	34373/0007

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document No. Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A	US-4,576,740	03-18-1986	Hall et al.
	B	US-4,954,497	09-04-1990	Kamikado et al.
	C	US-5,270,340	12-14-1993	Kunisch et al.
	D	US-5,612,338	03-18-1997	Trah
	E	US-6,310,005	10-30-2001	Assmann et al.
		US-		
		US-		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶	
	F	FISCHER, Guido et al, "Species-Specific Production of Microbial Volatile Organic Compounds (MVOC) By Airborne Fungi From A Compost Facility", <u>Chemosphere</u> , Vol. 39, no. 5, pages 795-810, August 1999,		
	G	STROBEL, Gary et al., "Volatile Antimicrobials from <i>Muscodor albus</i> , a novel endophytic fungus", <u>Microbiology</u> , vol. 147, no. 11, pages 2943-2950, November 2001		
	H	Supplementary European Search Report, European Patent Office, European Patent Application No. 02741671, September 19, 2005		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.